

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLUB GENE & GEORGETTI, L.P.,

Plaintiff,

Hon. Gordon J. Quist

v.

Case No. 1:12-mc-00034

GIORGETTI'S, INC., et al.,

Defendants.

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ORDER

This matter is before the Court on Plaintiff's Motion to Compel Proper and Adequate Production of Subpoenaed Documents, to Pierce the Corporate Veil and Sanctions (Dkt. 2) and the report and recommendation issued by Magistrate Judge Ellen S. Carmody regarding that motion.

IT IS HEREBY ORDERED that the report and recommendation is adopted, and Plaintiff's Motion to Compel Proper and Adequate Production of Subpoenaed Documents, to Pierce the Corporate Veil and Sanctions (Dkt. 2) is granted in part and denied in part.

IT IS FURTHER ORDERED that David Moll, as owner of Giorgetti's, Inc., is ordered to provide all extant documents requested in the subpoena within 14 days of the date of this order.

IT IS FURTHER ORDERED that, within 14 days of the date of this order, David Moll shall submit a detailed compliance report to the court regarding whether each category of document exists and, if so, his efforts to locate all documents not yet provided.

IT IS FURTHER ORDERED that David Moll, individually and as owner of Giorgetti's, Inc., take affirmative action to assure that the domain name giorgettis.com is transferred to plaintiff no longer than 14 days from the date of this order.

IT IS FURTHER ORDERED that the issue of plaintiff's motion for sanctions is denied without prejudice at this time, pending refiling after David Moll, individually and as the owner of Giorgetti's, Inc., has submitted his compliance report.

FINALLY, IT IS ORDERED that Giorgetti's, Inc. is deemed the alter ego of David Moll, as it is a mere instrumentality to conduct David Moll's business.

Dated: November 28, 2012

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE